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14 Attorneys for Defendant
GOOGLE LLC

15
16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE CENTRAL DISTRICT OF CALIFORNIA
18

19 CHRISTOPHER BARULICH,
20 individually and on behalf of all others
21 similarly situated,

22 Plaintiffs,

23 v.

24 THE HOME DEPOT, INC., a Delaware
corporation, and Google LLC, a
25 Delaware limited liability company,

26 Defendants.

Case No. 2:24-cv-01253-FLA-JC

Assigned for all purposes to the
Honorable Fernando L. Aenlle-Rocha

**GOOGLE LLC'S NOTICE OF
PENDENCY OF OTHER
ACTIONS OR PROCEEDINGS**

[Central Dist. L.R. 83-1.4]

Complaint Filed Feb. 14, 2024

**TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF
RECORD:**

Pursuant to Local Rule 83-1.4, Google LLC (“Google”) hereby provides notice of pendency of another action involving a material part of the same subject matter. The other action, *Misael Ambriz v. Google LLC*, Case No. 1:23-cv-05437 (N.D. Cal.) (“*Ambriz*”), pending before the Honorable Rita F. Lin, was filed on October 23, 2023. The parties in *Ambriz* are Plaintiff Misael Ambriz and Google LLC. Google filed a motion to dismiss in *Ambriz* on January 16, 2024 which is currently scheduled for a hearing on March 19, 2024. A copy of the Complaint in *Ambriz* is attached hereto as Exhibit 1.

This action and *Ambriz* are both putative class actions brought on behalf of individuals alleging that Google violated the California Invasion of Privacy Act (“CIPA”), Cal. Pen. Code § 631(a), through its Cloud Contact Center Artificial Intelligence (“CCAI” or “GCCCAI”) service. In both actions, the named Plaintiff alleges he called the customer service line of a Google customer (here, Home Depot, Inc., and in *Ambriz*, Verizon Communications, Inc.) that used CCAI. In both cases, the named Plaintiffs allege they spoke to live customer service representatives while the software provided assistance to the live agent in the background. *Compare Ambriz* Compl. ¶ 36 (“Google, through GCCCAI, eavesdropped on Plaintiff’s entire conversation with the Verizon human customer service agent. Specifically, a Google session manager monitored the conversation between Plaintiff and Verizon, and Google, through GCCCAI, transcribed Plaintiff’s conversation in real time, analyzed the context of Plaintiff’s conversation with Verizon, and suggested “smart replies” and news articles to the Verizon agent Plaintiff was communicating with.”), *with Barulich* Compl. ¶ 26 (“Google, though its Cloud Contact Center AI, surreptitiously listened in and monitored Plaintiff’s communications with Home Depot. Google used this CCAI technology to transcribe Plaintiff’s conversations in real time, analyze the

1 contents of Plaintiff's communications, and suggest possible replies to the live Home
2 Depot agent on the phone.").

3 Because the actions are both against Google, relate to the same technology,
4 and involve many of the same facts and the same legal issues, Google asked
5 Plaintiff's counsel in this action for their position on consolidation with the earlier-
6 filed *Ambriz* action. On March 12, 2024, Plaintiff's counsel in *Barulich* informed
7 Google's counsel that they do not believe consolidation with *Ambriz* is appropriate.

8 Pursuant to Local Rule 83-1.4(d), the contact information for Plaintiff's
9 attorney in the *Ambriz* action is provided below:

10 Neal J. Deckant (SBN 322946)
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15 Undersigned counsel at Cooley LLP represents Google in both this action and
16 the *Ambriz* action.

17
18 COOLEY LLP
19 Dated: March 14, 2024

20 By: /s/ Kristine A. Forderer
21 Kristine A. Forderer

22 Attorney for Defendant
23 GOOGLE LLC
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